

FIRST INFORMATION REPORT  
(Under Section 154 Cr. P.C.)

CC TNS 123040734



P.S. Bhaktinagar Year 2024 FIR No. 734/24 Date 14/08/24  
IPC Sections 406/418/420/506/120B

3. (a) Occurrence of offence : Day \_\_\_\_\_ Date From 13/04/2021 Date To \_\_\_\_\_  
Time Period \_\_\_\_\_ Time From \_\_\_\_\_ Time To \_\_\_\_\_

(b) Information received at P.S. Date 14/08/24 Time 21:35 hrs  
(c) General Diary Reference : Entry No (s) 714 Time 21:35 hrs

4. Type of Information Covert Complaint w/dt MP Case no - 251/24 Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. \_\_\_\_\_ Beat No. \_\_\_\_\_

(b) Address One shop room being office no- 529 measuring 630 Sq. ft. at 2nd floor, PBR Tower, Seno ke Road, w/no- 42 of SMC, PS Bhaktinagar, Dist. Jalpaiguri.

(c) In case outside limit of this Police Station, then the Name of the P.S. \_\_\_\_\_ District \_\_\_\_\_

6. Complainant / Informant : (a) Name Ashwini Bhansali

(b) Father's / Husband's Name Sri Ashok Bhansali

(c) Date / Year of Birth \_\_\_\_\_ (d) Nationality Indian

(e) Passport No. \_\_\_\_\_ Date of Issue : \_\_\_\_\_ Place of Issue \_\_\_\_\_

(f) Occupation \_\_\_\_\_

(g) Address Ujan Shibnagar, PO & PS Boodham Nagan, Dist. Doojeling.

7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary) : Suresh Kumar Aggarwal s/o Lt. Ratan Lal Aggarwal @ Rinki Devi Aggarwal w/o Suresh Kumar Aggarwal - both of Sangam, Block-B, 2nd Floor, 2 1/2 mile, Seno ke Road, Siliguri, w/no- 42 of SMC, PO Golgana, PS Bhaktinagar

8. Reasons for delay in reporting by the Complainant / Information : ③ Noy Nayanam Prasad ④ Subh Nayanam Prasad ⑤ Shurenchayan Prasad - all sons of U. Sisir Prasad of Neah from Utsirpa Ashram Vedanta Ashram, Rom Utsirpa Ashram Road, w/no- 45 SMC, PO & PS Boodham Nagan, Dist- Doojeling.

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : ① Rs 33,00,000/- (Three crore three lakhs)

10. Total value of properties stolen / involved \_\_\_\_\_

11. Inquest Report / U.D. Case No. If any \_\_\_\_\_

12. FIR Contents (Attach separate sheets, if required) : The original covert complaint which is proved as FIR is attached herewith.

13. Action Taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2., Registered the case and took up the investigation / directed SI Pradip Bysali to take up investigation / refused investigation / transferred to P.S. Bhaktinagar on point of jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / informant free of cost.

14. Signature / Thumb impression of the Complainant / Informant is on the complaint

Inspector in Charge  
Signature \_\_\_\_\_  
Name : Pradip Bysali  
Rank : No. IC Bhaktinagar Ph, SPC

15. Date & Time of despatch to the court :

COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGUR M.P.

*M.P.* → Case No- 251/24

Ashwini Bhansali VS Suresh Kumar Agarwal and others

Order No-12-08-24

The complainant files hazira on the date fixed for report.

Report is submitted from the concerned PS( Bhaktinagar PS).

Perused the report.

On perusal I find the materials in support of the case.

Let the original complaint u/s 175(3) BNSS be sent to the concerned PS( Bhaktinagar PS ) for investigation.

Submit the compliance report by 18-08-24

D/C by me.

*I/c Bhaktinagar PS.*

Chief Judicial Magistrate  
Jalpaiguri

Chief Judicial Magistrate  
Jalpaiguri

COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No- 251/24

ASHWINI BHANSALI VS SURESH KUMAR AGARWAL AND OTHERS

U/S 175(3) BNSS-2023

Order dated: 15-07-2024.

Complainant ASHWINI BHANSALI has filed a petition praying for relief under Section 175(3) BNSS-23.


Complainant is present in the court and enquired.

Heard Ld lawyer for the complainant.

In view of Section 175(3) of BNSS-2023 I/ C Bhaktinagar PS is directed to submit the report in respect of the complaint, filed by the complainant ASHWINI BHANSALI AGAINST SURESH KUMAR AGARWAL AND OTHERS within a week from the date of the communication of the order.

Let a copy of the complaint along with the copy of order be sent to the I/C Bhaktinagar PS for information & compliance .

Fix 26-07-24 for compliance report from P.S. concerned.

  
C.J.M. , Jalpaiguri

Chief Judicial Magistrate  
Jalpaiguri

31/7/24

Completed  
31/7/24

no report has been submitted till today from the concerned p.s. Issue reminder I/c Bhaktinagar is directed to submit compliance report on or before

Fix 9/8/24 for compliance report

  
Chief Judicial Magistrate  
Jalpaiguri

5125/24



Ashwini Bhansali

Filed by:-

Ankur Agarwal

ANKUR AGARWAL  
Advocate, Siliguri

26/7/24

**IN THE COURT OF THE LD. CHIEF JUDICIAL MAGISTRATE  
AT JALPAIGURI**

MISC. PETITION NO 251/24

**IN THE MATTER OF:**

An application under Section 175(3) of  
BNSS, 2023.

**AND**

**IN THE MATTER OF:**

**SRI ASHWINI BHANSALI**

Son of Sri Ashok Bhansali,  
resident of Ujan Shibnagar, Post Office  
& Police Station- Pradhan Nagar,  
Siliguri, District- Darjeeling,  
PIN- 734003, West Bengal.

.....Complainant

-Vs-

**1. SRI SURESH KUMAR AGARWAL,**  
Son of Late Ratan Lal Agarwal

**2. SMT RINKI DEVI AGARWAL,**  
Wife of Sri Suresh Kumar Agarwal,

Both 1 & 2 are residents of  
Sangam, Block - B, 1st Floor, 2½  
Mile, Sevoke Road, Siliguri, Ward  
No.42 of the Siliguri Municipal  
Corporation, Post Office- Salugara,  
Police Station- Bhaktinagar,  
District- Jalpaiguri, PIN- 734008,  
West Bengal, Presently residing at  
Ward No.11, Aambari, Bibi  
Bharatpur, Thakurganj, Bidhibhita,  
District- Kishanganj, PIN- 855108,  
Bihar.

*[Handwritten signature]*



11 5 JUL 2024

- 3. SRI NAG NARAYAN PRASAD,**
- 4. SRI SUBH NARAYAN PRASAD,**

Ashwini Chansali

Filed by:-

Ankur Agarwal

ANKUR AGARWAL  
Advocate, Siliguri

**5. SRI SHREENARAYAN PRASAD,**

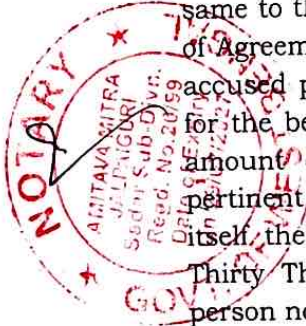
All 3, 4 & 5 are Sons of Late Suraj Prasad, resident of Near Ram Krishna Ashram Vedanta Ashram, Ram Krishna Ashram Road, Ward No. 45 of the Siliguri Municipal Corporation, Post Office & Police Station- Pradhan Nagar, Siliguri, District- Darjeeling, PIN- 734003, West Bengal.

.....Accused Persons

**OFFENCE COMMITTED: UNDER SECTION 406, 418, 420, 34, 120B, 506 of I.P.C.**

The Complainant above named begs to state as follows:-

1. That the complainant is a peaceful law abiding citizen of India representing his father Sri Ashok Bhansali, Son of Late Keshrichand Bhansali who is physically disabled and unable to come before this Ld. Court having his address as stated in the cause-title of this application.
2. That the case of the complainant in a nutshell is that the accused person no.1 i.e. Suresh Agarwal and accused person no.1 i.e. Rinki Devi Agarwal were the absolute and bonafide owners in possession of one shop room morefully described in the schedule below by virtue of a Deed of Conveyance being No.I-3112/2021 duly registered at the office of the A.D.S.R., Bhaktinagar, Jalpaiguri and had offered to sell the same to the complainant's father and thereafter on 13.04.2021 a 'Deed of Agreement for Sale' was entered between the accused person no. 1, accused person no.2 and the complainant's father and the total price for the below scheduled shop room was fixed at a total consideration amount of Rs.35,00,000/- (Rupees Thirty Five Lakhs) only. It is pertinent to state here that on the day of execution of the agreement itself the complainant's had paid a sum of Rs.33,00,000/- (Rupees Thirty Three Lakh) only as advance consideration and the accused person no. 1 & 2 also acknowledged the receipt of the said sum.
3. That furthermore it was categorically agreed between the complainant's father and the accused person no. 1 & 2 that the remainder sum of Rs.2,00,000/- (Rupees Two Lakh) only being the balance consideration amount would be payable by the complainant's father at the time of registration of the below scheduled office space i.e. six months from the



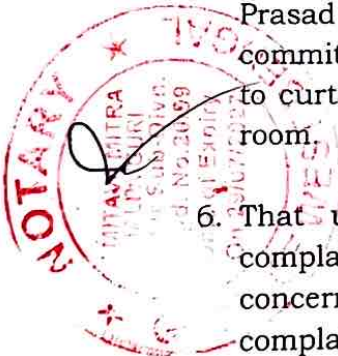
Ashwini Bansal

Filed by:-  
Ankur Agarwal

ANKUR AGARWAL  
Advocate, Siliguri

date of execution of the aforesaid agreement for sale and accordingly the complainant's father made several endeavours within the stipulated period to contact and reach out to the accused person no. 1 & 2 by expressing his desire and willingness to pay the balance consideration and take registry of the below scheduled office space but the accused person no. 1 & 2 failed to execute a Deed of Conveyance in favour of the complainant's father in absolute violation/ contravention of the 'Deed of Agreement for Sale' dated 13.04.2021 and started to make false excuse on one or the other pretext and subsequently the said accused person no. 1 & 2 started to make absurd demand from the complainant's father and demanded an additional sum of Rs.10,00,000/- (Rupees Ten Lakhs) only more over and above the total consideration amount and when the complainant's father did not adhere to their request they both threatened the complainant's father that the accused person no. 1 & 2 will sell the below scheduled shop room to someone else and the complainant's father will not be able to do anything regarding the same.

4. That thereafter finding no other alternative the complainant's father sent a legal notice to the accused person no. 1 & 2 but the duo kept completely silent over the entire issue and recently when the complainant's father searched the records of the concerned Additional District Sub Registrar, Bhaktinagar he found out that the duo accused person no. 1 & 2 have already executed a Deed of Conveyance being I-288 for the year 2024, registered in Book No. I, Volume No. 0711-2024, Pages 8187 to 8209 registered at the office of the Additional District Sub-Registrar, Bhaktinagar in favour of accused person no. 3 i.e. Sri Nag Narayan Prasad, accused person no. 4 i.e. Sri Subh Narayan Prasad and accused person no. 5 i.e. Sri Shreenarayan Prasad.
5. That the complainant along with his father apprehend that the duo accused person no. 1 & 2 in collusion and connivance with accused person no. 3 i.e. Sri Nag Narayan Prasad, accused person no. 4 i.e. Sri Subh Narayan Prasad and accused person no. 5 i.e. Sri Shreenarayan Prasad have hatched a criminal conspiracy to cheat and have committed fraud upon the complainant's father and have further tried to curtail the complainant's father right upon the below scheduled shop room.
6. That ultimately finding no other alternative on 29.06.2024 the complainant sent a written complaint dated 29.06.2024 to the concerned officer but the concerned officer did not register the said complaint nor did he acknowledge the same.



Ashwini Bhansali

Filed by:-

Ankur Agarwal

ANKUR AGARWAL  
Advocate, Siliguri

- A copy of the written complaint dated 29.06.2024 to the Inspector In charge, Bhaktinagar Police Station is filed herewith for Your Honour's perusal
7. That the complainant thereafter forwarded the said written complaint u/S.173 (4) of Bharatiya Nagarik Suraksha Sanhita, 2023 dated 10.07.2024 for commission of cognizable offence to the Commissioner of Police, Siliguri stating that the offences committed and ingredients of the said written complaint dated 29.06.2024 involves the commission of cognizable offences and prayed to take necessary action but to the complainant's utter dismay all went in vain and till now the concerned police station is neither willing to start a specific criminal case by registering the same as F.I.R nor willing to investigate the matter.
- A copy of the written complaint dated 10.07.2024 to the Commissioner of Police, Siliguri against the accused persons along with the postal receipts is attached herewith for Your Honour's kind perusal.
8. That this complaint is made bona fide and for the ends of justice.

Under the above facts and circumstances, it is, prayed that Your Honour would graciously be pleased to consider this application u/s. 175 (3) of BNSS, 2023 directing Inspector In Charge of Bhaktinagar Police Station to treat this complaint as F.I.R and to start a specific case against the accused persons under proper sections of law and to investigate the case properly and sincerely or to pass such other order/orders as Your Honour may deem fit and proper for the ends of justice.

And for this act of kindness, your petitioner/complainant as in duty bound shall ever pray.

#### **SCHEDULE OF THE SHOP ROOM**

All that one office (back side) being Office No.S-29, measuring 630 Sq. Ft. (including super built-up area) at Second Floor of (Basement + Four) storied building appertaining to R.S. Plot Nos.76/768, 74/764, 77/769, 76 & 77, recorded in R.S. Khatian Nos. 90/1, 600/11, 600/12 & 600/24, situated within Mouza- Dabgram, J.L. No. 2, Pargana- Baikunthapur, Sheet No. 8

Received on 14/08/24 at 21:35 hrs vide  
 GDE no- 714 and started Bhaktinagar  
 PS case no- 734/24 Dtd- 14/08/24  
 406/418/420/506/12018 IPC and endorsed  
 to SI Pradip Deyali for its investigation.

Ashwini Bhansali

Filed by:-  
 Ankur Agarwal

ANKUR AGARWAL  
 Advocate, Siliguri

14.8.24  
 Inspector-in-Charge  
 Bhaktinagar Police Station  
 Siliguri

located at PBR Tower, Sevoke Road, Ward No. 42 of the Siliguri Municipal Corporation, Police Station- Bhaktinagar, District- Jalpaiguri, West Bengal.

The said shop room is butted and butted and bounded as follows:-

- North : 6 Feet wide Verandah;
- South : Beneath Drive away;
- East : Staircase & Lift;
- West : Shop No.S-30



**AFFIDAVIT**

I, Ashwini Bhansali, Son of Sri Ashok Bhansali, aged about 35 years, Business by Occupation, Hindu by Religion, Indian by Nationality, resident of Ujan Shibnagar, Post Office & Police Station- Pradhan Nagar, Siliguri, District- Darjeeling, PIN- 734003, West Bengal, do hereby solemnly affirm and declare as follows:-

1. That I am the complainant and as such am well acquainted with the facts and circumstances of this case.

.....This is true to my knowledge.

2. That the statements made in Para 1 to 7 are true to the best of my knowledge and believe and rest are my humble submission before the Ld. Court.

.....This is true to my knowledge.

I sign this Affidavit on this the 15<sup>th</sup> day of July, 2024 at Jalpaiguri.



Solemnly Affirmed Before Me  
 On Proper Identification  
 AMITAVA MITRA NOTARY  
 Regd. No. 20/99 Date Of Expiry On 28/07/2027  
 Jalpaiguri

Ashwini Bhansali  
 Signature of the deponent  
 Identified by me

Ankur Agarwal  
 Advocate

15 JUL 2024



Filed by:

Ankur Agarwal

ANKUR AGARWAL  
Advocate, Siliguri

IN THE COURT OF THE LD. CHIEF JUDICIAL MAGISTRATE  
AT JALPAIGURI

MISC. PETITION NO- /2024

SRI ASHWINI BHANSALI

.....Complainant

-Versus-

SURESH AGARWAL & OTHERS

.....Accused persons

**LIST OF DOCUMENTS FILED BY THE COMPLAINANT:-**

1. Photocopy of 'Deed of Agreement for Sale' dated 13.04.2021.
2. Photographs of Deed of Conveyance being I-288 for the year 2024.
3. Photocopy of the Legal Notice dated 27.01.2024 along with the postal receipts and tracking report.
4. Written Complaint dated 29.06.2024 to the Inspector Incharge, Bhaktinagar Police Station along with the postal receipt and track report.
5. Written Complaint dated 10.07.2024 to the Commissioner of Police, Siliguri against the accused persons along with the postal receipt and track report.

Dated, Jalpaiguri.